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Case 2:10-cv-10978-PJD-MJH

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UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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FLINT

AMERICAN UNIVERSITY OF ANTIGUA,
COLLEGE OF MEDICINE, a foreign corporation,

Plaintiff,

V

CASE No.: 2:10-cv-10978-PJD-MJH
Judge Patrick J. Duggan
United States District Judge

Michael Hluchaniuk
United States Magistrate Judge

STEVEN WOODWARD,

Defendant,

**Defendant's Reply to AUA's Supplemental Response to Woodward's Motion for
Sanctions, (Dkt 177)**

Defendant's Reply to AUA's Supplemental Response to Woodward's Motion for Sanctions, (Dkt 177)

This is the Defendant's response to the Plaintiff's Supplement, Docket 177. The Defendant files the following information in rebuttal concerning Michigan Court of Appeals (No. 292172) and Oakland County Court, (07-088103-CZ) Steven Woodward, Defendant, vs Trinity Health-Michigan, Susan Catherine Zonia and American University of Antigua College of Medicine. According to the Plaintiff's own literature, **Exhibit 1**, and deposition testimony by Susan Zonia, **Exhibit 2, page 75, Line 6**, the American University of Antigua's 5th Semester program is no longer offered at St Joseph Mercy Oakland Hospital.

(It should be noted that the 5th Semester is no longer offered in Miami or Baltimore according to AUA's own documentation, **Exhibit 1**)

1) Susan Zonia was hired as Director of Medical Education and Dean for AUA's 5th Semester Program. Susan Zonia was hired in 2006 and **FIRED** in 2010 from St Joseph Mercy Oakland Hospital. St Joseph Mercy Oakland Hospital, SJMO, Disciplinary Action against Susan Zonia, **Exhibit 3**, states:

"The Hospital investigated the allegations of inappropriate conduct, behavior and harassment based on it's internal standards for leadership/ associate standards of conduct and determined your actions are in violation of Hospital policies and standards pf conduct. Based on the substantiated allegations you failed to display professional leadership and judgment."

A) Susan Zonia admits in her deposition (7/15/2011) to speaking the following at work:

“FUCK”, Exhibit 4, page 124, Line 19

“makes me want to go **yank his dick** to help him get the words out” (pertaining to a man that stutters). **Exhibit 5**, page 127, Line 20

“I switched to saying **WTF**” **Exhibit 5**, page 127, Line 7

“to give your boyfriend a **blow job** for helping you move”, **Exhibit 6**, page 136, Line 20

B) Exhibit 7 are six(6) sworn affidavits statements concerning Susan Zonia the summaries include:

i) “Dr. Zonia says F word a lot” and “uses profanity in office”

ii) Susan Zonia uses the following words to describe doctors and hospital employees:

“Bastards”, “Bitch”, “Ass”, “Lazy Bastard”, “Idiot”.

iii) Referred to Reverend Moore as a **“F___ing idiot”**

iv) “Throw away all the crucifixes”, “People who believe in God are stupid”, and “Puts down religion”

v) “Belittles staff”, “Rude to staff”, “Intimidated, bullied and harassed for past 6 months, write ups given as harassment”

vi) “Not caring about students so long as she gets the money in”

C) Susan Zonia’s unprofessional behavior was well documented in an email, Exhibit 8, where she insulted a hospital Director.

“From: Valerie Payne-Jackson, D.O.

To: Zonia, Susan

Subject: Re: OB/GYN residents

“As for your statement to Susie Swanson,

“Susan Zonia” <zonia@trinity-health.org> 09/26/10 9:19 PM>>>

Can she be MORE Insulting? Ignore her (cold shoulder will bother her)

This is unprofessional, does not reflect the Mission Statement, and most of all, tells me that I am not supported. In fact, it insults me that you have such a poor opinion of me and disregard for me as a fellow professional. Is this a Med Ed Department, or a click.

Valerie

Valerie Payne-Jackson, D.O., F.A.C.O.O.G., F.A.C.O.G.

Director, Obstetrics and Gynecology Residency Program

Michigan State University/St. Joseph Mercy Oakland”

D) Examples of Susan Zonia lying under oath in depositions, include but are not limited to:

i) Susan Zonia’s deposition **Exhibit 9**, page 42 Line 5

“Q. Did you recommend that Steven Woodward be dismissed from – he wasn’t a resident. He was a fifth year medical student.

A. No, I did not”

Susan Zonia’s email to Victor Hrehorovich, Dated October 23, 2007, **Exhibit 10**,

“I would terminate him at this point”

Concerning emails Steven Woodward sent Dr. Hrehorovich which were well within the AUA Student Handbooks policy for communicating with faculty, **Exhibit 11** and Susan Zonia’s own policies.

ii) AUA initiated a Committee Meeting against Steven Woodward December 2007 based on fraud, violations of 20 U.S.C. 1011a, and blatant violations of the Universities own Student Handbook. **Exhibit 12** is the "Notice of the Grievance Committee hearing"

a) The University directly violated Due Process and their own Student Handbook by denying Steven Woodward legal counsel during a Committee Meeting, **Exhibit 12**, paragraph 3, Line 3 **"no legal council"**

Exhibit 11 is the Universities Student Handbook, page 12 "Grievances and Disciplinary Action" section clearly states

"The student has the right to counsel and to present witnesses and documentary evidence."

b) Susan Zonia's memo was written as an artifice of fraud and violates the University's policy as defined in the "Grievances and Disciplinary Action" page 12, **"AUA/KMC students are encourgaged to address and academic or non-academic concerns with their Professors, Faculty Advisors or Deans"**

Exhibit 13 clearly states:

December 15, 2007 From: J. Ernesto Calderon To: Susan Zonia

"Please read this note from Dr. Cain. You need to write a request to start a Grievance procedure. If you would like, you could say that "according to instructions from VH and myself...." That way you would not have this person in your Office complaining."

December 15, 2007 From: William Cain To: Susan Zonia

“To me, the documents I have received are evidence of absurd behavior. To proceed, we need is a grievance statement (or request for grievance committee hearing).”

December 17, 2007 From: Susan Zonia To: William Cain

“Here is the memo you requested. Please let me know if you need anything else.”

December 17, 2007 From: William Cain To: Susan Zonia

“Your memo, Dr. Zonia’s, to Dr. Calderon dated Dec. 17, 2007 is what we needed to continue the committee’s work.”

The Committee Meeting notice, **Exhibit 12**, is based on Susan Zonia’s memo, a memo AUA’s Grievance Committee Chair, Dr. William Cain et al requested. The Grievance Committee hearing notice states **“According to Dr. Zonia’s memo”**. The memo was requested by Dr. William Cain, AUA Faculty Grievance Committee Chair, not Susan Zonia.

c) Exhibit 14 is Susan Zonia’s memo which initiated a Committee Meeting against Steven Woodward. Susan Zonia’s memo demonstrates the lies told by Susan Zonia and AUA in a Conspiracy to violate Steven Woodward.

Susan Zonia’s memo is written proof, including but not limited to, fraud, discrimination, and violations Federal Law 20 U.S.C. 1011a by AUA, St Joseph Mercy Oakland hospital and Susan Zonia.

D) Susan Zonia’s memo states “not argue with faculty at St Joseph Mercy Oakland”

Susan Zonia’s deposition, **Exhibit 15**, page 58, Line 12 she was asked,.

“Q. And what faculty at St. Joe did he argue with?

A. Dr. Yanez.

Q. Anybody else?

A. Not that I'm aware of."

Dr. Yanez states in his deposition, **Exhibit 16**, page 37, Line 2

"Q. So it sounds to me like you would disagree with the word "argue" that he was just expressing his concerns in what you deemed to be an inappropriate manner?

A. Yes"

II) Susan Zonia's memo, Exhibit 14, states "he vented his anger in a professional unacceptable manner. For example:....he requested a transfer to Miami program saying that the V Semester was a waste of time and his time would be better spent in a Kaplan course;"

Exhibit 17 is a letter from the Financial Aid office dated September 25, 2007

"We here in the New Financial Aid Office know that you have recently started your fifth semester in Miami, Baltimore, or Michigan. Your USMLE and Kaplan review time is fast approaching. We want you to have a peace of mind while you prepare for your exam. In order for this to be accomplished, we need all 5th semester students to create a budget. In this budget please include the following:

1. The cost of USMLE and/or Kaplan review"

Exhibit 18 is the AUA approved budget for \$15,000.00 for Steven Woodward to review Kaplan.

Exhibit 19 is the email Steven Woodward sent to Susan Zonia notifying her of the intent to transfer to Miami to study Kaplan. **"Dear Dr. Zonia**

I am trying to transfer to the Miami 5th semester program. There is room in the October 15th Kaplan program and I believe attending this review will be good for my career. Thank you for all your time and help. Steve”

The Miami program was the same 5th Semester program for AUA. The Students in Miami were being allowed to attend the Kaplan USMLE Step I review program.

Steven Woodward was being disciplined and brought before a Committee Meeting for requesting the same opportunities other AUA students were getting.

The Miami students saved as much as \$15,000.00 for the review and months off the review time to prepare for the USMLE STEP I medical board exam and first in line placement for Clinical Rotations.

This is an example of the blatant lies, fraud, discrimination, and violations of 20 U.S.C. 1011a AUA, Susan Zonia, and Trinity Health Michigan did to Steven Woodward.

III) The Email, Exhibit 20, From Vasanth Jayaraman To Steven Woodward describe the atrocities and major problems concerning the 5th Semester caused by AUA against their students. This letter contains the following statements: “School has been a waste of time”, “pointless”, “Kaplan is comin along”, “We get sent home after like an hour everyday cuz there is nothing to do”, “we signed a petition”, “we don’t have those quizzes anymore”, “unfair”, “the Hospital and Metellus both agreed and had no problem telling the NY office to fuck off”, “that’s total bullshit”, “Most of us are just pickin one answer and stickin with it and doin them in under 5 mins each.”

Steven Woodward forwarded this email to Dr. Victor Hrehorovich, **Exhibit 21.**

AUA's attorney, David Gunsberg and Judge Kumar use this email to write the lies about Steven Woodward in the Oakland Circuit Court Orders, **Exhibit 22**, "**Plaintiff also used the "F word" in letters and emails to school officials**". Judge Kumar's Orders are lies and examples of violations of Civil Rights as defined Federal Law 20 U.S.C. 1011a.

IV) Susan Zonia writes in her memo, **Exhibit 14**, "**We found the attitude and demeanor of Steven Woodward to be completely inappropriate and detrimental to the program**" and "**Mr. Woodward's lack of professionalism and poor communication skills are a source of great concern.**"

Steven Woodward's behavior in the 5th Semester is well documented in signed evaluations by the doctors in charge of the Clinical Rotations, **Exhibit 23** and **Exhibit 24**.

Dr. Breitenbach, **Exhibit 23**, gave Steven Woodward an evaluation score of "**95**" for "**Professionalism**", "**Communication Skills**", "**Learning Skills**", and "**Attitude**" ("**95**" equates to "**Outstanding**")

Dr. Brietenbach wrote "Very Computer Literate" and "**Excellent Student**" to the "General observations on the student's performance and suggestions for improvement."

Dr. Malloy, **Exhibit 24**, gave Steven Woodward a "**90**" for "**Professionalism**", "**Communication Skills**", "**Learning Skills**", and "**Attitude**" confirming Steven Woodward's **OUTSTANDING** performance as a student.

V) Susan Zonia wrote in her memo, **Exhibit 14**, "**Sabotaging exams**" describing Steven Woodward as a "**Saboteur**". In Susan Zonia's deposition, **Exhibit 25**, page 55, Line 21 "Q. And you specifically use the word "sabotaging" How was that sabotaging?

A. Because the exams were weighted and so he would change—by not doing well it would change the distribution and so the scores he could lower the grades for everybody.

Q. So you're saying by his giving the same response he would receive a lower score than he should, therefore, --

A. Well, it would change the curve and so you could just play probabilities and hope that you came out with a high enough score."

Dr. Yanez confirms Susan Zonia is a liar in **Exhibti 26**, page 34, Line 25

"Q. Dr. Zonia testified that the sabotaging exams manifested itself in throwing off the class curve. So it doesn't sound like that was the case with what you just indicated?

A. The Exam Master had a requirement for the number of questions answered. It was a learning tool the university put in place. It didn't affect heir final score at all other han they had to do the questions.

Q. So how was that sabotaging?

A. It did not sabotage the class curve. I'm not sure what she is referring to, but it did not sabotage the class curve."

Steven Woodward is now considered a "Saboteur" and "unprofessional" in Public Court Records, Exhibit 27 page 2, because of this act of pure perjury by Susan Zonia, AUA, and St Joseph Mercy Oakland Hospital, including false declarations by Erik Buikema and David Gunsberg.

VI) Susan Zonia claimed in her deposition Exhibit 28 page 42, Line 10

“Q. And did you have anything nice that you thought about Steven Woodward? I mean did he do anything right?

A. He didn’t hurt children or small animals, to the best of my knowledge, so I have no complaints with regards to that. My personal opinion is that his attitude in the medical education office and in the classroom was not something that I felt particularly comfortable with.

Q. Well, but my question was, do you have anything nice to say about your observation of his time in the fifth semester? I mean did he do anything right? IS there anything positive that you have to say?

A. No, I don’t”

Page 43, Line 2,

Q. Well, did you perform any investigation to determine if there were any positive things that you should have included in your memo?

Mr Gunsberg: Objection to the form of the question

Q. You can go ahead and answer.

A. No, I didn’t

Line 20,

A. I was looking for something good about Mr. Woodward which is why we waited over a month before I talked—or a month before I talked to him. I was hoping he would settle down and find a way that he could cope with this 12-week course so that he could move on with his life. That was my sincerest wish. I don’t like it when they had problems. I don’t like it. It makes my life more difficult. And I wanted him to find a way to cope with it. He never showed me or my direct reports that he had found a way to just get

through this so the only feedback, my only interactions, were negative. I did not go the extra 300 yards to find a positive, that is correct.”

Steven Woodward’s Student Evaluations which verify that he was an “**Outstanding**” and “**Excellent Student**” performance **Exhibit 23** and **Exhibit 24** were kept in Susan Zonia’s Department files for the fifth semester students. Dr. Malloy’s office was just several doors down from Susan Zonia’s office.

This isn’t even the complete list of the heinous acts committed by Susan Zonia in conjunction with AUA, and St Joseph Mercy Oakland, Trinity Health against Steven Woodward. Susan Zonia is a perjurer, a fraud, a conspirator, and violated Student Rights Steven Woodward.

E) Susan Zonia and her attorney, Deborah L. Gordon(P41711) make false declarations in Oakland County Circuit Court, Case No. 2011-116369CD, document titled “Brief in opposition to Defendant’s Motion for Summary Disposition”, page 11, section E, **Exhibit 29**

“there is no evidence that anyone at the hospital has been disciplined, let alone fired, for an occasional curse or isolated raunchy remark. Nor is anyone fired for expressing their opinions about others.”

Susan Zonia is directly responsible for these very claims (lies and discrimination) against Steven Woodward, demonstrating the lies and discrimination by Susan Zonia and her

attorneys in Court Orders by both Oakland County Circuit Court Order, **Exhibit 22** and State of Michigan Court of Appeals Order, **Exhibit 27**.

F) The American University of Antigua has made false declarations in Federal and Circuit Court documents concerning, including but not limited to, “**poor student, with only a 1.5 grade point average**”, breach of contract, professionalism of Steven Woodward, and the blatant lies of Susan Zonia’s memo (Page 3 of Dkt 177)

The American University of Antigua falsified Steven Woodward’s Grades.

-**Exhibit 30** are the Final Grades for the 5th Semester at SJMO,

Steven Woodward earns an 80% or “B” but AUA assigns him an “F”.

AUA adds Note(3) “Failed Final Exam. Did take remedial and failed”

-**Exhibit 31** is an email from Dr. Yanez; Steven Woodward was allowed to take the “**Vocabulary**” section because of “**Testing Irregularities**” i.e. the online test did not work and was faulty not Steven Woodward.

Dr. Yanez quotes the passing Final Exam score “You will need a total score of **560**” and “**10% curve = 560**”

-**Exhibit 32** are the Final Exam Grades.

Steven Woodward’s score for the “**Vocabulary**” section was **88** out of 100 points.

Steven Woodward PASSED the Vocabulary section with an 88%.

Note(3) is a blatant lies by AUA and falsified documentation.

Steven Woodward earned a total score of **568**; Steven Woodward **PASSED** the Final Exam.

2) David Gunsberg the attorney for AUA, St Joseph Mercy Oakland Hospital, Trinity Health and Susan Zonia is a confessed criminal.

He was found guilty, **Exhibit 33**, by Grand Jury of Felony charges including:

Kidnapping (of an elderly patient no less), **Conspiracy to Commit Kidnapping**, **Abduction**, and **Aggravated Riot**. He was found guilty by Grand Jury of **Riot** and **Negligent Assault** (by means of a deadly weapon or dangerous ordnance, to wit: motor vehicle, cause physical harm to Teta Stewart). David Gunsberg pled guilty, **Exhibit 34**, to Unlawful Restraint, Riot, and Negligent Assault for which he was imprisoned as Ordered in 2009.

These are examples of the qualities and character of the attorneys of AUA, Susan Zonia, and St Joseph Mercy Oakland Hospital.

3) The Truth of Steven Woodward is:

A) Steven Woodward is an Honor Graduate and Honorably Discharged veteran of the United States Army, **Exhibit 35**

B) Steven Woodward is an Honor Graduate, Cum Laude, in his first degree in Robotics GPA 3.50, while working full time, **Exhibit 36**.

C) Steven Woodward is earned a Bachelors of Science Degree in Engineering while working full time as a Robotics Technician., **Exhibit 37**

D) Steven Woodward is an Honor Graduate, earning a Master of Science Degree in Computer Information Technology GPA 3.879, while working full time, **Exhibit 38**

E) Steven Woodward has received numerous letters of recognition from Education Institutions and Employers Including, **Exhibit 39**

Letters of Appreciation, Outstanding Contribution, and Team Excellence

F) Steven Woodward is described as “**Exemplary**” by his last employer, **Exhibit 40**

G) Steven Woodward was given Letter of Commendation by the Oakland County,
Exhibit 41.

H) Steven Woodward has been a Volunteer Firefighter, Ski Patrol, and volunteer for
Disabled programs, **Exhibit 42.**

I) Steven Woodward volunteers his vacation to working at maintaining an Orphanage,
Exhibit 43.

J) Steven Woodward’s SCUBA diving on St Martin included restoring the Fresh Water
supply for the Island Nation of Anguilla after Hurricane Omar, **Exhibit 44.**

4) Ane McNeil

Exhibit 45, page 42, Line 18

“Q. And what were the inappropriate remarks?

A. Remarks such as—you know, basically threatening their jobs. So, “if you don’t” kind
of, “do it my way, Woodward is right there.”

Q. Was the person that was fired a physician?

A. No.

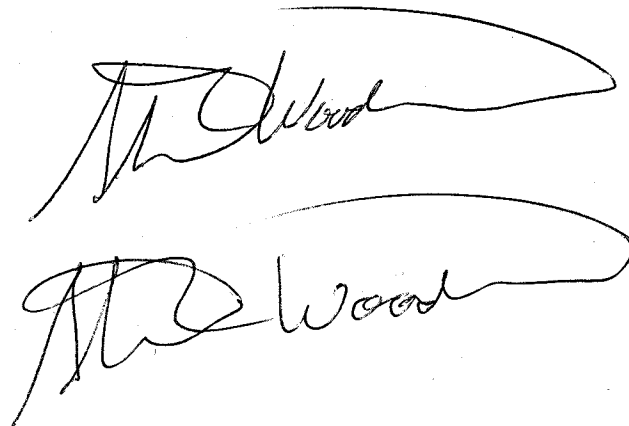
Q. And how long was that investigation; if you know?

A. Well, the investigation—I wouldn’t – the investigation that led to the termination was
a very short period of – **there wasn’t an investigation that actually led to the
termination.**”

Susan Zonia, AUA, and St Joseph Mercy Oakland Hospital has, including but not limited to, lied to the Courts, commits fraud, has violated their own policies, conspires to, and has, violated Steven Woodward's Rights . Oakland County Circuit Court and Michigan Appeals Court Orders are based on the lies of David Gunsberg and Erik Buikema.

(2011 Depositions, Affidavits, St Joseph Mercy Oakland Hospital Policies, and etc can be found in public records of the Oakland County Court Case No. 11-116369-CD Susan Zonia (Plaintiff) vs Trinity Health-Michigan d/b/a St Joseph Mercy Oakland Hospital before Judge James M. Alexander.)

Steven Woodward
7211 Brittwood Ln
Flint, MI 48507
(810)235-7267

Two handwritten signatures of Steven Woodward, one above the other, in black ink. The signatures are stylized and cursive.

List of Exhibits:

1. AUA 5th Semester Training Sites
2. Deposition Susan Zonia, pg 74-77(case 11-116369-CD)
3. SJMO Disciplinary Action against Susan Zonia (case 11-116369-CD)
4. Deposition Susan Zonia, pg 122-125(case 11-116369-CD)
5. Deposition Susan Zonia, pg 126-129(case 11-116369-CD)
6. Deposition Susan Zonia, pg 134-137(case 11-116369-CD)
7. Summary of GME Staff Complaints about Susan Zonia (case 11-116369-CD)
8. Email Dr. Payne-Jackson (case 11-116369-CD)
9. Deposition of Susan Zonia, pg 42-45(case 11-116369-CD)
10. Email Susan Zonia, Exhibit from Deposition of Susan Zonia, February 3, 2009
11. AUA Student Handbook, pg 12 Grievance and Disciplinary Action
12. Notice of Grievance Committee Meeting hearing, 12/19/2007
13. Email William Cain, Exhibit from Deposition of Susan Zonia, February 3, 2009
14. Memo from Susan Zonia, Exhibit from Deposition of Susan Zonia, February 3, 2009
15. Deposition of Susan Zonia, pg 58-61, February 3, 2009
16. Deposition of Jeffrey Yanez, pg 34-37, February 3, 2009
17. AUA Financial Aid Office, KAPLAN Budget
18. Financial Aid Award Letter, KAPLAN Budget
19. Email to Susan Zonia, Miami Transfer
20. Email Vasanth Jayaraman, 5th Semester
21. Email Victor Hrehorovich, 5th Semester
22. Judge Kumar Court Order
23. Student Evaluation, Outpatient Rotation
24. Student Evaluation, In-Patient
25. Deposition Susan Zonia, pg 54-57 February 3, 2009
26. Deposition Jeffrey Yanez, pg 34-37, February 3, 2009
27. State of Michigan Court of Appeals No. 292172
28. Deposition Susan Zonia, pg 42-45, February 3, 2009
29. Brief in Opposition to, Oakland County Circuit Court case no. 2011-116369CD
30. 5th Semester Final Grades
31. Email Jeffrey Yanez, Final Exam
32. Final Exam Grades, Steven Woodward
33. Court of Common Pleas County of Summit, Ohio
34. Court of Common Pleas County of Summit, Ohio Sentencing Hearing
35. US Army Diploma
36. AAS Degree Diploma
37. BS Degree Diploma
38. MS Degree Diploma
39. Letters of Appreciation
40. M/Y Passion Testimonial of Service
41. Letter of Commendation, Oakland County
42. Firefighter Ski Patrol
43. First Presbyterian Church, Mx Orphanage
44. Anguilla Fresh Water, Hurricane Omar
45. Deposition Ane J. McNeil, pg 41-44 (case 11-116369-CD)

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Preliminary Clinical Training / 5th Semester

Family Practice I / Internal Medicine I

Students begin their clinical education by attending the Family Practice I / Internal Medicine I program (formerly known as The Fifth semester) which is taught at U.S. clinical sites. This program serves as a bridge between the basic science curriculum and the clinical science curriculum. The course concentrates on improving the student's physical examination and diagnostic skills. The course incorporates a review of the basic sciences and their relationship to the practice of medicine, in a clinical setting. The course provides instruction in clinical procedures and various clinical skills that the student will be required to master as the student's medical education continues. The Foundations of Clinical Medicine course provides the student with the necessary skills to appropriately communicate with patients, elicit information from patients, and to incorporate that information with the information obtained in the physical examination of the patient. By the end of the course the student is expected to be able to provide an integrated analysis of the patient's symptoms and to be familiar with various treatment options.

Presently, students attend one of AUA's four locations in the U.S. – The Physician Education Group in Atlanta, GA, Kingsbrook Jewish Medical Center in Brooklyn, NY, Wyckoff Heights Medical Center in Brooklyn, NY, or Richmond University Medical Center in Staten Island, NY. Additional new sites are proposed for Puerto Rico beginning in the second quarter of 2010.

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EXHIBIT |

Susan Zonia
7/15/2011

20 (Pages 74 to 77)

Page 74

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1 A. I was literally not aware of any openings. I did send
2 my CV to a hospital in Jackson that is getting ready to
3 start some programs, but I have not heard back from
4 them. I sent that off in March, April.
5 Q. What hospital is that?
6 A. I'm sorry?
7 Q. Jackson, Michigan?
8 A. Yes, Jackson, Michigan. I was aware that there was a
9 DME position somewhere in rural West Virginia, had
10 sufficient consulting work that -- that stimulated me
11 and was paying the bills that, that was not a high
12 priority position to apply for.
13 Q. So in terms of your -- back up a minute.
14 So you're director of GME at St. Joe and
15 you're responsible for overseeing the IRB, correct?
16 A. Yes, correct.
17 Q. Does that cover all your jobs?
18 A. I guess I'd stick with recruiting, I helped write
19 curriculum. I did some teaching, counseled residents,
20 counseled program directors.
21 Q. And each of the residency programs had a medical
22 director?
23 A. Had a program director, yes, that was a physician
24 specializing in that area.
25 Q. And for the transitional year residents, who was in

1 Q. He reported to you?
2 A. For medical education.
3 Q. He was an employed physician?
4 A. Correct.
5 Q. Employed by St. Joe?
6 A. Correct.
7 Q. And you, on the chart -- organization chart would be
8 listed as his immediate supervisor?
9 A. For medical education, correct.
10 Q. So medical education had to do with the Residency
11 Program for Internal Medicine, correct?
12 A. Correct.
13 Q. And did you and he get along okay?
14 A. We?
15 Q. You and Diaczok.
16 A. Dr. Diaczok and I had a rough start. And I thought we
17 worked very well together over the last few years.
18 Q. If there was a disagreement on how a residency program
19 in internal medicine would be administered, not the
20 training that is what they learn, but all the other
21 stuff that went with it --
22 A. Um-hmm (affirmatively), correct.
23 Q. -- did you have the last word? In other words, if you
24 and Diaczok had a disagreement, you could say this is
25 the way we're going to do it?

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1 charge of that?
2 A. Jeffrey Yanez, Y A N E Z.
3 Q. Is this, the transitional year, was that the same as AUA
4 fifth year?
5 A. No.
6 Q. There was an AUA fifth year program as well for a while?
7 A. Correct.
8 Q. Was that discontinued or was that still going on when
9 you left St. Joe?
10 A. It was still going on when I left St. Joe. I don't
11 believe it's going on now.
12 Q. And how many of those AUA fifth year students were
13 there?
14 A. I think around the time that I left the number was 18.
15 Q. And then in each of the areas that there was a program
16 director there was Yanez and he's not with the hospital
17 anymore?
18 A. No, he is not.
19 Q. Did he quit or was he terminated?
20 A. He quit.
21 Q. The Program Director in Internal Medicine was always
22 Diaczok?
23 A. While I was there, yes.
24 Q. Did you hire him?
25 A. No. He was hired around the same time I was.

1 A. I suppose I could take that approach but instead I would
2 show him the regulation and explain why I thought this
3 is how we would comply with it and try to get the
4 program director to see that whatever the issue was
5 could get us into trouble.
6 Q. But in the end if he said, look, I don't care what that
7 is, I'm going to do it a different way, you would be the
8 person who would say, look, this is how we're going to
9 do it and we're going to comply with the regulation,
10 correct? That would be your job?
11 A. It would be my job and I would check with Don Bignotti
12 usually to be sure that he had my back.
13 Q. Okay. And did you and Diaczok ever have a disagreement
14 about any administrative aspect of the Internal Medicine
15 Residency Program?
16 A. There were differences of opinion with all the program
17 directors.
18 Q. My question was with Diaczok.
19 A. Yes.
20 Q. Can you identify anything that you and Diaczok had a
21 disagreement about?
22 A. We had a disagreement when I looked at the call schedule
23 for the number of times women would be on for holidays
24 and weekends versus men. So we had a disagreement over
25 Dr. Diaczok thinking that he could grant an FMLA leave

Exhibit C

**ST. JOSEPH
MERCY OAKLAND**
A MEMBER OF TRINITY HEALTH
44405 Woodward Avenue
Pontiac, Michigan 48341-5023

DISCIPLINARY ACTION

Copy signed 10/25/10

Name of Employee Susan Zonia Date 10/1/2010Position Title Chief Academic Officer Department Med EducType of Action: ☐ Written Warning ☐ Written Reprimand ☐ Final Warning

Disciplinary Suspension - (Circle one) 1 2 3 4 5 _____ Day(s)

From: _____ To: _____

Returned to duty on: _____

☒ Discharge Effective Date: 10/1/2010

Infraction Date(s): _____

Subject: Tardiness _____ Poor Work _____ Reliability _____ Conduct X

Safety _____ Absence _____ Insubordination _____ Attitude _____

Carelessness _____ Appearance _____ Unauthorized Absence From Work Station _____

Other (Specify) _____

Specify Supporting Details The Hospital investigated the allegations
(Use additional sheets if necessary)

of inappropriate conduct, behavior, and harassment based on it's
internal standards for leadership/associate standards of conduct
and determined your actions are in violation of Hospital policies and
Standards of Conduct. Based on the substantiated allegations you
failed to display professional leadership and judgement. Effective October 1, 2010
we are exercising our right as an at-will employer to discharge you from SJMO.

Follow-up Action To Be Taken: Provided final benefits sheet, TEAM Brochure, Employee

Discipline Policy, SJMO Organizational Integrity Program, and Signed
Acknowledgement of Standards of Conduct - Organizational Integrity Program
form.

Union Representative: _____ Date: _____ ☐ DeclinedSIGNATURES: Employee* Susan Zonia Date 10-1-10

Supervisor/Manager _____ Date _____

Department Director _____ Date _____

Vice President Michael R. Bell Date 10/1/10DISTRIBUTION: Original to Employee Relations
Copy to Employee

*Employee's signature signifies acknowledgement of receipt and not necessarily agreement of content.

00224 (8/01)

EXHIBIT 3

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Susan Zonia
7/15/2011

32 (Pages 122 to 125)

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Page 124

1 number one, two, three four. Just I read through it and
2 said I agreed or disagreed.

3 MS. LAUGHBAUM: As a suggestion, maybe you
4 could ask her what she recalls what's false?

5 MR. GUNSBURG: I just wanted to know when.

6 BY MR. GUNSBURG:

7 Q. When did you go through it?

8 A. I really couldn't give you a date. Counsel notified me.
9 I was out of town when it came in on a consulting trip.

10 It's all a blur now. Sometime between -- I don't know,
11 maybe April. Best guess, March of this year. I really
12 couldn't tell you.

13 Q. Did you review the notes that you made on the -- about
14 the interviews to prepare for the deposition today?

15 A. No, I didn't.

16 Q. Did you do anything to refresh your memory about what in
17 the investigation notes were true or untrue to prepare
18 for today?

19 A. No, I didn't.

20 MR. GUNSBURG: Can we go off the record for a
21 second?

22 (A short recess was taken)

23 MR. GUNSBURG: Back on the record.

24 BY MR. GUNSBURG:

25 Q. Do you know who William Allen is?

1 Q. Does that mean that you thought you and she were
2 friends?

3 A. Not in the sense that she wanted to be friends.

4 Q. What does that mean?

5 A. For example, she wanted to double date, her and her
6 husband to go out with me and the person that I was
7 dating. She sent me, almost every night, photographs of
8 her and her kids playing, birthday cakes, when she went
9 to a wedding, wedding photos of places that she was at.
10 So I didn't consider myself that kind of friend.

11 Q. Did you have any conversation with Susie Swanson or any
12 of the staff people in the department involving your
13 personal life? For instance, your dating relationships,
14 your sexual life, your boyfriend or guys you dated,
15 anything like that?

16 A. On Fridays frequently what are you doing this weekend,
17 those kind of conversations. Yes, we had those kind of
18 conversations.

19 Q. Did you use the F-word in the office?

20 A. I did once or twice when I first started working there.

21 Yes, I did.

22 Q. Did you use the F-word when Susie Swanson came on in
23 February 2010?

24 A. I can't remember every single word I had said but I had
25 disciplined myself to, I believe, not say that word.

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Page 125

1 A. I believe Bill Allen, he was administrator before my
2 time.

3 Q. Do you know if he was fired?

4 A. I wasn't here, so I would have no knowledge of that.

5 Q. How about someone called Vandebrook (phonetic)?

6 A. Deb Vandebrook, I believe we overlapped by a few
7 months. She stepped in for finance, I believe. I think
8 it was finance.

9 Q. Do you know if she was fired?

10 A. I would have no knowledge of.

11 Q. Did you fire anyone who worked for you?

12 A. Did I personally fire anyone?

13 Q. Yes.

14 A. No, I did not.

15 Q. Did you have the understanding that HR had the final say
16 or have to sign-off on any termination decisions?

17 A. That was my understanding.

18 Q. Okay. Do you have any information about whether or not
19 Martha Murphy was involved in the decision to terminate
20 you?

21 A. I can only assume, since I believe that HR signs off,
22 that Martha had some say in it.

23 Q. Okay. Did you believe that you and Susie Swanson were
24 friends?

25 A. I thought we had a collegial relationship, yes.

1 Q. The F-word meaning fuck. That's the F-word?

2 A. Correct.

3 Q. So if Susie Swanson reported that you used the F-word a
4 lot, you would disagree with that?

5 A. I absolutely disagree with that.

6 Q. So Susie Swanson is lying about that?

7 A. Susie Swanson confided to me many, many --

8 Q. Listen to my question. Is Susie Swanson lying about
9 that?

10 A. She is inaccurate in reporting that. If you want to
11 call it a lie, it's inaccurate.

12 Q. Did Susie Swanson ever ask you to stop using the F-word?

13 A. No, because I wasn't using it in the first place.

14 Q. Would you agree that it would be inappropriate for you,
15 as the director of the department, to use the F-word a
16 lot in the office?

17 A. To use the F-word a lot in the office would be
18 inappropriate.

19 Q. And do you recall telling Susie Swanson that using the
20 F-word was part of your freedom of speech?

21 A. Not the F-word, no.

22 Q. So if Susie Swanson reported that she asked you to stop
23 using the F-word and that you referred to the F-word as
24 your freedom of speech, she's lying?

25 A. I believe that what she is reporting is not accurate.

Susan Zonia

7/15/2011

33 (Pages 126 to 129)

Page 126

1 Q. Well -- so if you were asked about that in an
2 investigation, your answer would be that she's not
3 telling the truth and you are? I mean how would you
4 respond to that?

5 A. I would ask for a situation in which she recalled my
6 saying.

7 Q. Well, if she reported that it was constant, that you
8 regularly used the F-word and she says you used it all
9 the time in all kind of situations, would you
10 effectively be in a position to say somebody had to
11 either believe you or believe her?

12 MS. LAUGHBAUM: Objection, form. I don't
13 understand the question.

14 BY MR. GUNSBURG:

15 Q. In terms of responding to an investigation, assuming
16 somebody said to you in this investigation Susie Swanson
17 says you used the F-word a lot and she asked you to
18 stop --

19 A. Susie Swanson used the F-word.

20 Q. So it's your testimony that it was Susie Swanson using
21 the F-word, not you using the F-word?

22 A. On occasion Susie used the F-word. She never asked
23 me -- as I recall, she never had a conversation with me
24 about it because I didn't use the F-word.

25 Q. So if people in the department during this

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1 investigation, the staff members, reported that you used
2 the F-word a lot --

3 A. What is a lot? I mean I used the F-word several
4 times -- a number of times when I first started working
5 there. It was pointed out to me that several of the
6 staff members had very strong religious and other
7 beliefs that they took great umbrage at that term. I
8 switch to saying WTF.

9 Q. What does that mean, WTF?

10 A. For example, what the fuck. It could be interpreted
11 that way. I, however, when I was challenged on it when
12 I'm nervous, I eat. WTF can also be where's the food.
13 So you can read into it what you want.

14 Q. So was it common for you to respond to things or to use
15 the phrase WTF?

16 A. Not common.

17 Q. And if you used the phrase WTF, people were supposed to
18 know that that meant where's the food?

19 A. I even said where's the food. WTF, where is the food.

20 Q. I see. Did you -- did you ever make a statement about a
21 person who stutters, that the guy stutters a lot and
22 makes me want to go yank his dick to help him get the
23 words out?

24 A. I repeated the conversation from another DME. Yes, I
25 repeated that conversation.

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1 Q. Who was the guy who was stuttering?

2 A. It was a faculty member at Michigan State.

3 Q. And why were you and who did you repeat that to, say
4 that to, the guy stutters a lot and it makes me want to
5 go yank his dick so he can get the words out?

6 A. Not that I want to do that. It was an individual that
7 was likely to -- I believe it was Deneen McCall. It was
8 somebody that we were thinking about bringing in to do
9 some teaching for the osteopathic residents. Dr. Joann
10 Mitchell is the DME at Pontiac and that was her
11 statement. And Deneen had reported how difficult he was
12 to speak with and I shared that story from Dr. Mitchell.

13 Q. Did you tell Susie Swanson or any member of the staff
14 that you were dating someone named Pete?

15 A. I have had his picture in my office and they asked who
16 it was.

17 Q. So the answer is?

18 A. Yes.

19 Q. And did you tell Susie Swanson or other members of the
20 staff that you were cheating on Pete?

21 A. No.

22 Q. So if Susie Swanson reported this, she's a liar?

23 A. Yes.

24 Q. That would be your position that that's a lie?

25 A. Yes.

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1 Q. And how would someone who is doing an investigation know
2 who is telling the truth in this you said, they said
3 situation?

4 A. I was never asked to comment on any of it. So only one
5 side of a story was ever heard.

6 Q. My question is a little different. Assuming that this
7 comment was reported, that you said that you were dating
8 someone named Pete and you were cheating on him, how
9 would the -- and you denied it, by the way, how would
10 somebody know who to believe?

11 A. You know, I guess they could call in Pete and ask if I'm
12 where I say I'm going to be. I have no idea.

13 Q. How would Pete know whether you're cheating on him? I
14 assume if you were cheating on him, wouldn't you hide
15 that from Pete?

16 MS. LAUGHBAUM: I'm going to object to this
17 whole line of the questioning, what investigators might
18 or might not have learned when it's obvious that
19 Ms. Zonia was never asked. So this is just kind of
20 silly.

21 MR. GUNSBURG: Thank you. I appreciate your
22 comment.

23 BY MR. GUNSBURG:

24 Q. The question I have is how would an investigator know
25 whether to believe you or to believe what the people in

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Susan Zonia


7/15/2011

35 (Pages 134 to 137)

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1 A. Journey is a philosophical approach that the hospital is
2 asking all -- and training that asked all support staff
3 to go through because it was going to set the tone for
4 operations at the hospital.
5 Q. Where did the directive to go through Journey come from?
6 A. It came from the top levels. Could have been at
7 Trinity, it could have been within the corporation, but
8 certainly within St. Joe's.
9 Q. Did you make a statement to any of the staff that you
10 hate Journey and that it was the hokiest thing ever? Or
11 words to that effect?
12 A. No. I liked Journey compared to the other programs we
13 went through.
14 Q. Did you make a statement that Journey was nothing but a
15 bunch of Kumbaya or words to that effect?
16 A. Journey was not Kumbaya.
17 Q. Do you know what something called JI refers to?
18 A. JI? JI? Journey Intensive.
19 Q. Is that the same thing as Journey?
20 A. I think it's the same thing as Journey Intensive.
21 Q. Did you refer to Journey Intensive as Kumbaya?
22 A. As I said before, I actually enjoyed the Journey
23 experience. The hospital had previously put on some
24 other experiences which I did not enjoy.
25 Q. Do you agree that it would be inappropriate for you to

1 A. I did not.
2 Q. Would you agree that would be inappropriate?
3 A. To order the staff to take down the crosses? Yes,
4 absolutely inappropriate.
5 Q. Did you make comments to the fact that people who are
6 religious or believe in God are stupid or naive or
7 simple, words to that effect?
8 A. No.
9 Q. Did you ever make any comments about religion of any
10 kind in the office?
11 A. I said that I didn't -- I believe when asked what
12 denomination or what my religious conviction was, I said
13 I had none.
14 Q. So again, if there was a report that you made the staff
15 take the crosses down and you made statements to the
16 effect that people who believe in religion are foolish
17 or simple or naive, that would be your word against the
18 staff, correct?
19 A. That would be correct.
20 Q. Do you recall telling Susie Swanson that -- or
21 reiterating a conversation that a friend told you that
22 you would have to give your boyfriend a blow job for
23 helping you move? 
24 A. I do recall saying that. It was -- you're taking it out
25 of context but I remember some of those words.

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Page 137

1 make statements that Journey is hokey or that it's a
2 bunch of Kumbaya and that you hated those type of
3 things?
4 A. If I had done it, it would have been inappropriate.
5 Q. So once again, if during an investigation staff members
6 said you made these statements, someone would have to
7 weigh your denial, you're saying no, I didn't versus
8 those folks saying yes, she did? You agree with that?
9 A. Yes, I do agree with that.
10 Q. Do you have any reason why you believe that your denial
11 should be believed versus the assertions made by your
12 staff that you said or did the kind of things I've been
13 talking about for the last half hour?
14 A. Yes.
15 Q. Why should they believe you versus the staff?
16 A. I believe that the annual evaluations that Dr. Bignotti
17 did in which he states I'm a very good communicator,
18 that I'm a team builder and that I've done a good job of
19 pulling the department together, I would believe that
20 his statements would count for something.
21 Q. Any other reason why you should be believed versus the
22 staff being believed?
23 A. I can only point to my excellent evaluations and record.
24 Q. Did you ever have the staff take the crosses down in the
25 Medical Ed Department?

1 Q. Did you refer to Dr. Kazzi (phonetic) as a lazy bastard?
2 A. No.
3 Q. Would that be inappropriate for you to do that?
4 A. Yes.
5 Q. Did you refer to a student who had accepted an intern
6 position and then declined as a bastard?
7 A. I have no knowledge of what you're -- which students,
8 what you're talking about.
9 Q. Did you ever refer to anyone as a bastard?
10 A. In my life? Yes.
11 Q. Bad question. How about in the office? Did you ever
12 use that term, referring to people as a bastard?
13 A. You know, I can't remember a day or time or situation.
14 Q. Are you saying you -- yes, you might have but you don't
15 recall it or no, you never did or which?
16 A. I don't recall.
17 Q. Did you ever make any kind of disrespectful remarks
18 about Dr. Richter?
19 A. I made remarks that -- well, it sounds like everything I
20 said was perceived as disrespectful. I made remarks
21 about the difficulty in working with Dr. Richter.
22 Q. Did you ever give people the finger behind their back,
23 make an obscene gesture as people walked away from you?
24 A. Yes (indicating).
25 Q. You made a motion with your hands.

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Exhibit _____

SUMMARY OF GME STAFF COMPLAINTS ABOUT SUSAN ZONIA

Susan Swanson (Monzur).

- Dr. Zonia says F word a lot asked her to stop; Zonia says she has "freedom of speech";
- Tell staff she is "untouchable" because she is friend of higher management;
- Belittles staff;
- Tells Susan Swanson to give people "cold shoulder". eg Dr. Payne Jackson, Dr. Cotant;
- Has inappropriate conversations about Zonia's sex life. eg. comments about a doctor who stutters and makes me want to "pull his dick" to make him stop;
- Talks about her sex life with her boyfriend;
- Tells Swanson she shouldn't limit her sex life to her husband; talks about "cheating" on her boyfriend, had to give her boyfriend more blow jobs for helping her move;
- Refers to Swanson as her secretary and treats her as such;
- Calls management and doctors names like Dr. PJ is a "bitch", doctor at awards dinner an "ass";
- Makes negative comments about CEO of hospital;
- Makes negative comments about hospital training programs;
- Says she like to create atmosphere of fear;
- Said to throw away all the crucifixes;
- Says people who believe in God are stupid;
- Leaves early to meet with her boyfriend;
- She makes too much money for hospital so they won't fire her;
- Says Deb Reid, a staff employee, "needs to get laid".

Patricia Davis

- Told to throw away crucifix;
- Refers to Drs and other as "bastards";
- Intimidated, bullied and harassed for past 6 months, write ups given as harassment;
- Leaves early;
- Told her that her job is in jeopardy.

Muriel lafrate

- Tells her training programs are stupid;
- Uses F word;
- Refers to meetings as "waste of time";
- Always closes her door;
- Always does her nails;
- Smells like alcohol in the morning;
- Demeans us by always referring to herself as "the one with the PhD";
- Openly talks about her sex life
- Leaves work for dates;
- Referred to Reverend Moore as a "f__ing idiot"
- Disclosed Dr. PJ's surgery;
- Rude to staff.

EXHIBIT

7

Gail Molitor

- Tells staff that she's not happy with any of us;
- Refers to Kanzi as "lazy bastard";
- Strongly encourage us not to meet with Dr. Bignotti;
- Told "get with the program or bail";
- Belittles staff;
- Talks about people openly and makes remarks about others;
- Refers to hospital training programs and missions as "bunch of rumbaya"
- She has sarcastic and demeaning behavior.

Deb Reid

- Uses profanity in office, F word, called physician "bastard";
- Can't go to her, puts her hand up and dismisses me;
- Puts down religion;
- Sex discussions.

Deneen McCall

- SL is "dismissive"
- Refers to Dr. Payne Jackson as a "bitch";
- Refers to Dr. Dioczok as an "idiot";
- Door always closed, spends time doing her nails;
- Leaves early for dates;
- Talks about doctors she doesn't like;
- Talks about her sex life, dates, guys she goes out with;
- Talks about not caring about students so long as she get the money in;
- Constantly uses the F word;
- Dismissive of the staff;
- Refers to training programs as "stupid";
- Probes us for confidential information;
- Tell us she has friends in management and HR; and we are afraid to go to HR because Susan Zonia has friends in HR who protect her;
- I am very stressed; looking for another job.

AFFIDAVITS

1. Gail P. Molitor
2. Susan L. Swanson
3. Patricia A. Davis
4. Mariel Iafrate
5. Debra K. Reid
6. Deneen McCall

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SUSAN ZONIA,

Plaintiff,

v.

CASE NO. 11-116369-CD
HON. JAMES M. ALEXANDERTRINITY HEALTH-MICHIGAN
d/b/a ST. JOSEPH MERCY
HOSPITAL, PONTIAC,
A domestic Corporation,

Defendant.

DEBORAH L. GORDON, PLC
Deborah L. Gordon (P27058)
Carol Laughbaum (P41711)
Attorneys for Plaintiff
33 Bloomfield Hills Parkway, Ste. 275
Bloomfield Hills, MI 48034
Telephone: 248.258.2500LAW OFFICE OF DAVID B. GUNSBERG, P.C.
David B. Gunsberg (24235)
Attorney for Defendant
322 North Old Woodward Avenue
Birmingham, MI 48009
Telephone: 248.646.9090AFFIDAVIT

I have reviewed the attached notes taken which accurately reflect what I told Ane McNeil during the investigation of Susan Zonia. I adopt the attached notes as my true and accurate testimony regarding Susan Zonia.

Sign:

Gail P. Molitor

Print Name:

Gail P. MolitorDate: 8-16-2011

Subscribed and sworn to before me this

16th day of August, 2011Deborah L. Mission

Notary Public, State of Michigan

County of OaklandMy commission expires: 02-10-2014Acting in the County of: Oakland

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Gail Molitor

9/30/10 2pm

Susie mid morning called Gail; wanted to check to see if she scheduled mtg w/ Dr.

later called Gail told her that bet you done. - pulled evaluation gave to Don.

SZ - Not happy with any of us

Mtg Thursday (Pat 75) one staff member coming 'what did I get myself into'
- Feb take this to Dr. B.

Discussed w/ all of them she told Dr. Z.

- Susan Z.

Kazzi - lazy bastard (b/c she had to do paperwork)

Student that applied & went w/ another - bastard

- Shared w/ everyone what type of surgery PJ had - donna's going away ptg

20/10 SSu
w/ We Strongly encouraged not to go to DB mtg
you work for us not the

2

- told Jewell, Don talked to Jewell (issue taken care of).

last 2 months staff mtg. SS called SZ in for clarification - no longer print evals. Made comment on that is going to be difficult not to go to paper

S.2 - 'Get with the program - bail'

9/29 - In. group told staff she printed off text messages

- Read this one 'Why do we pay RT big money when Gail can do it with it a high school degree'

15 min before Susie shared w/ Gail M.

PT no input on evals, evals were done between Donna & Zenia. Donna would smooth them out.

3.45 language was inappropriate - where did it come from - Zenia (Donna would tell her).

Didn't want to ask questions b/c of how she was made to feel.

-RJ sent letter to Donna & Don

-from now on when you feel

Susan
Zink

overwhelmed just say 'you're overwhelmed'

Avoid med-ed when Susan is there

-last time she asked did you just
that dress

Uncomfortable, talks about ppl, remarks

Susie Swanson

Monday - reaching out to her

bet you & me conversation

Doesn't trust her - new innovations (bail snapped
at Pat b/c she interrupted) you know

yesterday. I know. Don't call her, she was
in tears. Talked to one another - Sus

Pitting each other

May - orientation mtg.

HR not prepared, resisting me
went to Zink's office. later upset
disrespected her. Why? You slammed books

down. One of the fire also came to me
- Maribel (not me)

lack of integrity - proxy to calendar

Pat gave proxy to her email to
Sueie.

Pat disclosed this to group

At staff mtg said at everyone present
I know you don't like JI (Johnny Intensive)

D. Grandmother wanted to know why
she was sitting out PJ

9/30 - do you know how much
Dr. 2 makes.

Thinks it's both (Sueie & Susan)

Sppl (4 looking; Gail wants to retire)

- a lot of changes too fast, not good mgr
skills

- heard about other big picture.

(She treated → Residents

- Not exciting anymore.

Sarcastic, demeaning
behavior

SPM
8/16/11

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SUSAN ZONIA,

Plaintiff,

v.

CASE NO. 11-116369-CD
HON. JAMES M. ALEXANDER

TRINITY HEALTH MICHIGAN
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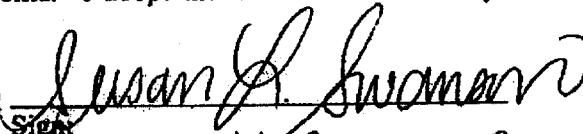
AFFIDAVIT

I have reviewed the attached notes taken which accurately reflect what I told Ane McNeil during the investigation of Susan Zonia. I adopt the attached notes as my true and accurate testimony regarding Susan Zonia.

Date:

8/17/2011

Print Name:


Susan L. Swanson

Subscribed and sworn to before me this

17th day of August, 2011.

Notary Public, State of Michigan

County of

Macomb

My commission expires:

12-16-2013

Acting in the County of:

Oakland

LIANNE STAMBORETTZ
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Dec 16, 2013
COUNTY OF

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Susie Swanson - Ane.

9/30/10

11:30 pm

Day 1 Lit with everything

Dr. Zwick she is intro. me I then say
other dept & that's why Jack gives
her intro. for she wants a will never
fire her.

Smelling like alcohol in the morning

- Aug/Sept Looking at calendar for pet
- says she had to work at the ^{day} golf outing & had to present at golf. - in late next day
- always lying about where ~~she~~ is going

Jack is nothing but an uneducated Rep.
Weiner
- almost at every mtn mtg says this

- Jack running for rep. party

- Martha Webster ~~is~~ is a trying to
shoot him down.

- Imlay, Pres of Oakland Society told her

she went out with Kathy & Barb (St. Georges)

that's what she told Susie.

showed up - can't see (buzzed) Topsy, Corbin
to drink. I need to see you Susie.

Jeff

2

Dr RJ is on an indefinite leave. Good
I can't stand the bitch. You email
the ob team a team to contact
Zurra.

single full
she is

Always looking like the bad guy.

Tries to back-up staff but hard to do.

Fired this girl Alicia (old 112 B person - got
Doesn't like P. Stein ^{was fired} to fire her so she
quit).

- If Susie doesn't do security she's afraid.
she would get fired. (Susie felt intimidated by
Zurra)

- Aggressive & mean

Ph.D always throwing that in their faces

- takes credit for things that Susie

- Dr. Cotant makes too much of a point
to be friendly to him.

Both standing at Maric's desk when
she smelled like alcohol.

- goes into office & closes door

- told Maric & Susie that

she drinks a bottle of wine

night. She's very cultured & over

3

in american in it looked down at.

- hosp needs her b/c she is on the
AOA committee

- Susie ^{walks} ~~comes~~ into office (52)

- on hotmail, lands ends, telbots
magazine every day.

- red computer all personal
- left meeting last wk to go
print boardly pass.

- meeting rolling type, meaningless
- hated it

- nails 3X a week

at Imray's party

- buzzed said that man is
repulicant I hate him
(louder than normal)

You need to stop going after every little
thing.

12

4

- Susan had input on the evals SW Computer

Susan wanted to fire Gail a 2:1
(hasn't received it)

She calls Susie her secretary

- how Susie schedule things
my secretary.

- tells residents talk to my

- secretary

- Gave out w/ Pete (b.p) "tell ppl I'm not a
party at corporate."

leaves D room.

- doesn't work 40 hrs a wk,
on avg 25-30 hrs. doing it from
phone replying to email.

in Phys lounge talking to K Coburn

When she bought her phone had Susie
set it up all day calling her & teaching
her how to use it.

Doesn't want to work at her. If she
comes back find a new job for \$15
feels this is big problem.

5

Susie Sam - & Anne McNeil

9/30/10

Sept 8 a 9th

- fracti - was a c y then night
 - told her how much she drinks

3 bottles of wine.

- door closed

- lights 2/3

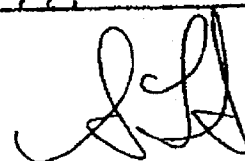
- leave w/ my headach

- hunger
 - long car.

52 + 05V

Asked Personal questions about her husband?

- She has been w/ multiple partners
 been w/ one my husband - will see
 he long thought will last. Stupid decision.
- She has to hide her faith from Zaria
 because she thinks those stupid bitches
 in God are stupid. doesn't want SS to think
 she is stupid.
- Made SS feel like she was intrusively
- I think my role is more important than
 pat's thing wouldnt touch me.
- Ex husband was carrying up a heavy piece
 of furniture to her bedroom you'll have
 to give him more than one blowjob
 tonight (Shared this w/ SS)
- belittles Susie - Secretary, I don't fax
 bags Susie will have to fax it.



6

- then would say good thing to her.
 - got SS to do dirty work. Susan
 to send her out and get her.

Deb needs to get laid

Hasn't heard from her today no
 contact.

- Discussed with SS the
 importance of keeping info
 quite not to seek out stuff

Afraid of Susan, real mean to her
 and others. Can't work for her
 anymore.

(Shaky, crying)

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SUSAN ZONIA,

Plaintiff,

v.

CASE NO. 11-116369-CD
HON. JAMES M. ALEXANDERTRINITY HEALTH-MICHIGAN
d/b/a ST. JOSEPH MERCY
HOSPITAL, PONTIAC,
A domestic Corporation,

Defendant.

DEBORAH L. GORDON, PLC
Deborah L. Gordon (P27058)
Carol Laughbaum (P41711)
Attorneys for Plaintiff
33 Bloomfield Hills Parkway, Ste. 275
Bloomfield Hills, MI 48034
Telephone: 248.258.2500LAW OFFICE OF DAVID B. GUNSBERG, P.C.
David B. Gunsberg ((24235)
Attorney for Defendant
322 North Old Woodward Avenue
Birmingham, MI 48009
Telephone: 248.646.9090AFFIDAVIT

I have reviewed the attached notes taken which accurately reflect what I told Ane McNeil during the investigation of Susan Zonia. I adopt the attached notes as my true and accurate testimony regarding Susan Zonia.

Date:

8/15/11

Sign:

Patricia A. Davis

Print Name:

PATRICIA A. DAVIS

Subscribed and sworn to before me this

15th day of August, 2011Adara L. Mission

Notary Public, State of Michigan

County of OaklandMy commission expires: 02-10-2014Acting in the County of: Oakland

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Received
3pm 9/30/10
from P. Davis
att

General Comments

- Wanted to throw away crucifix.
- Slams office door closed when overhead prayer comes on.
- Witnessed talking to Dr. Stoin disrespectfully (sent memo to Dr. Bignotti a few years ago).
- Puts hand up to be dismissed when she wants to end conversation.
- Can hear swearing from other end of hall. ("Bastard" when hanging up phone.)
- Told Susie that Donna and I were friends and that I was given special treatment. Donna and I were friends before Donna became manager.
- Dr. Zonia is a vindictive person and this has been witnessed by all of us and experienced by me. Dr. Zonia cannot be taken at her word.

When Susie joined us, she asked for proxy to my calendar. When I did the proxy, I did not realize that I sent her my e-mails along with the calendar. At the time, Susie said I did it correctly. Susie opened and read my e-mails addressed to Donna. She passed this information on to Dr. Zonia. I did make some comments, (Susie was bland) and (her office looked like a shrine). I said Dr. Zonia was leaving early "again". I was brought in with Gary Rice and Susie to discuss. After discussion, I was told by Susie that I should have been fired for using the computer inappropriately and that I tried to sabotage her, which I did not. I apologized to Susie, wrote an apology letter to Susie and Dr. Zonia. It was agreed at the table that Susie and I would make a fresh start. It was suggested that I go to Team, which I did, and I had 4 coaching sessions with Susie.

For the last 6 months a fresh start did not happen. I have a 1st warning for my behavior about the e-mails. I received a 2nd warning for performance improvement. I was verbally given a warning for wearing an inappropriate blouse, and received a 3rd warning for insubordination, rudeness and negativity. I have been told by Susie that I am rude to my co-workers, faculty, residents, and outside vendors. I met with Ane McNeil 2x during this time period. It was at my insistence that you sign the disciplinary actions because I wanted you to know what was going on. I believe they were hiding it from you.

I have been told not to talk to anyone because I am on "thin ice". When I have been reprimanded by Susie or Dr. Zonia and have disagreed with them, they have said to me, "Are you calling me a liar"? I have been told numerous times in the last six months, by Susie and Dr. Zonia that Martha Murphy said "to just let her go". Dr. Zonia also told me that Dr. Bignotti said to "just let her go".

I have been intimidated, bullied, and harassed for the past 6 months. I have worked under a microscope daily afraid to being viewed as deficient. My health took a decline during this period of time. I was at the point where I was either going to take a medical leave, find another position, or hire an attorney.

I believe these write-ups by Susie were driven by Dr. Zonia, however, Susie played a big part in them as well.

My recent evaluation reflected the events of the last 6 months. I received a total of 2.4 for overall with a -0- in the section of Mission and Values. I have been employed for 33 years and never received a disciplinary action or bad evaluation. It's amazing to me that in 6 months time I have had three disciplinary write ups and one verbal disciplinary.

More detailed notes of the last six months are housed in the HR department.

P.D.

Had me sign off on positive feedback.

Pat Dark, Anne & Don

9/30/10 3pm

When she first arrived ^{ASMD} wanted to throw
CROSS away

- closes door when prayer came in
- bastard (improved it at work)

- told SS that P was friends w/ Donna
- Szania can't be trusted.

Prozy - to calendar did I do it right,
yes.

- Office looks like a shrine

- Bland Susie

- told by Susie she should have
been fired & it was sabotaged.

- Szania - leaving early

- Not to talk to any of the other
girls or friend in any other dept

- are you calling me a liar

SZ. - Several times MARTHA & Don let her
go. (Would tell Pat Martha & Don said
to let you go).

We saved your job (Susan & Susan Z.)

↓ Dr B said to let you go
(Bijmotti)

9/30/10
Martha & Don
dealing these
things out
09/30

P.P.

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-health issues

-believe right ups were driven by Susan

-eval 2.4 D for minor + value

8/13 met w/ her

that Monday met w/ her positive
improvement improvement

70% Znic issue

30% Snare issue

Could work w/ snare if
she needed to.

Man's style - micromanager
insults intelligence.

Went to snare w/ frustration
w/ Diacrok keeping him focused & SS
went to Znic.

Thinks snare is afraid of her job
- back peddling

feeling as though she is
regretting her actions.

Snare

We really don't want to fire you pat.

Pat seems like she's really cool can't believe
you haven't gone out for drinks before.

PP

3

Will give ppl the benefit of the doubt.

* If anyone asks how it went - call us.

Dr. Cotant, very concerned about Pat.

P.P.

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Print Name:

Date: August 15, 2011

Subscribed and sworn to before me this

15th day of August, 2011

Adara L. Mission

Notary Public, State of Michigan

County of Oakland

My commission expires: 02-10-2014

Acting in the County of: Oakland

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21

Manuel - Anne Mendel
latrate

9/30/10 1045,

Doesn't like talking negative about ppl. Very upset
about Susan's behavior.

Oppos. to TH Values

3 days
Kenny

- If you got to have it, it's
like curly hair. Open about her
feelings.

- Negative attitude

- always god she's calling again
(yelling)

- Using Ex word loud

- I don't want to deal with Sprague
he's annoying me.

- Learning to love it - what a waste of
time feeling like I'm
in elementary school

- mty. in back hugging a puppy

- dermology Research Rn at Manuel's desk

- you react (what do you mean

- you react like smoke

- manual as you notice the

- felt embarrassed by Susan's
actions

me

27

Intimidated by her. Knock on door.

'yells yes' like your bothering her

- Filing nails
- polishing nails
- reading magazines, no work on desk.

Will you call Bob about the toilet?

I have a PhD & I am messing with this - makes you feel like a nobody b/c she has PhD

Holiday week all leaving to go

- 'Ah - lets get this over with'

- feeling like they are not worth it

- Smelled alcohol in her room - in the morning (looks like she hung over)

- hair & dress

- tells ppl she practices all night

- twice smells like alcohol

- comes in late 730-1000

- not feeling good.

- Couple months ago.

IRB - refuses projects on purpose. Think they are funny. Residents 1st time

looking for help. She says I don't know the rules. But she is reading magazines. (m

No involves w/ IKB

- married couple's picture
- doesn't feel like she looks at it
- she refuses to meet w/ IKB
- asks Marshall to talk w/ them
- says its a joke

Last xmas '09

Bathhouse body (C. Brown head (SZ)

Gail hadn't gotten it

↓ w/ admin. staff, it was a Gail knew what the message was.

Envi is inappropriate

Don't emailed w/ it. ... question from the director. ... it was ... forwarded the message to ...

Open also to:

- I want to show George Brown (email joke)
- Sex; going on trip. ... it was ...
- lunch dates (17 days in 17 days)
- going work long lunch dates

Last
1/11/11

me

4

Calling Rev. Moore an Fucking idiot
- Andie's

told everyone about PT's surgery
at home party. She looks like
breast reduction. (No one knew)

Patricia School Program directors all
had her

- At the party, she said that Deb is
arranging a dance to do with her
husband to do.

- Rude

After Susan got home she put on
an O.C. for a while.

- (Mabel)
Mabel's comments.

2 - Never been mean or unkind to Mabel
comment - She has been mean & stingy
in general - I have a PhD (make you
feel like you are smart)

m

25

Frustrated w/ w/ly b/wt day in office
 She doesn't do anything in support

function better w/2. Her attitude
 is very negative.

Felt supported by Susie Swanson
 - written policies

Dr Z. didn't know enough to ask Dr. 1
 did.

— When no manager wanted - She dumped
 door closed, no support when they
 needed her

Susie came in and met w/ team
 felt she had to address the concerns
 w/ 20 min

- didn't feel that Susie was
 interested w/ looking out for it
 & sharing with Zonia

Thinks Susie is doing a good job.
 hears Zonia snap at Susie. On a 9 of
 office call my assistant.

mi

26

6

Now Susie answer her calls &
schedules appointments. Like a secretary

Relationship positive w/ peers. Team w/ 100% - perfect.

- Haven't shared specifics with Swanson

Dr. [unclear] - Resident physician, good
looky - always makes time
for them he brings her along

Dr. [unclear] would come in & she
doesn't have time to meet w/ them.

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